

# Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: October 29-30, 2003

Reference No.: 2.4b.  
Action Item

From: ROBERT L. GARCIA  
Chief Financial Officer

Prepared by: Brice D. Paris  
Division Chief  
Right of Way

Ref: RESOLUTIONS OF NECESSITY

## ISSUE:

For each of the proposed resolutions, the property owners are not contesting the following findings contained in Section 1245.230 of the Code of Civil Procedure:

1. The public interest and necessity require the project.
2. The project is planned to provide the greatest public good with the least private injury.
3. This property is required for the proposed project.
4. An offer to purchase the property in compliance with Government Code Section 7267.2 has been made to the owner of record.

The only remaining issues with the property owners are related to compensation.

## RECOMMENDATION:

The Department of Transportation (Department) recommends the California Transportation Commission adopt Resolutions of Necessity C-18848 through C-18861. Discussions have taken place with all the owners, each of whom has been offered the full amount of the Department's appraisal and, where applicable, advised of any relocation assistance benefits to which the owner may subsequently be entitled. Adoption of the resolutions will not interrupt our efforts to secure equitable settlement. In accordance with statutory requirements, each owner has been advised the Department is requesting the resolution at this time. Adoption will assist the Department in the continuation of the orderly sequence of events required to meet construction schedules.

C-18848 - Donald L. Frisbee

01-Hum-101-PM 79.15-Parcel 11186 - EA: 330459 - Certification Date: 03/01/04 - (Conventional highway - realign, channelize and install signals). Authorizes condemnation of land in fee for a State highway, excess land in fee to which the owner has consented, land in fee which is a remnant and would have little market value. Located in the city of Eureka at 502 R Street.

C-18849 - Mohinder Singh Poonia, et ux

06-Fre-180-KP 106.5-Parcel 84406-1,2 (84406-1A) - EA: 342439 - Certification Date: 2/1/04 - (Freeway - construct six-lane freeway on new alignment with provision for future additional lanes). Authorizes condemnation of land in fee for a State highway, and the right and easement to enter the remaining ownership to sever and shore certain improvements(s) at the right of way line. Located in the city of Fresno at 7581 East Kings Canyon Avenue.

C-18850 - Union Pacific Railroad

07-Ven-101-KP 37.0-Parcel 78548-1,2,3 - EA: 0607U9 - Certification Date: 12/18/01 - RTL Date: 12/18/01 - (Freeway - widen existing roadway and reconstruct bridges). Authorizes condemnation of a permanent easement for drainage purposes and two temporary easements for construction purposes. Located in the city of Oxnard at Santa Clara River on Ventura Road.

C-18851 - F & J Heritage, a California Liability Partnership

08-Riv-79-KP 19.55-Parcel 19572-1-EA: 1A5809 - Certification Date: 11/01/03 - RTL Date: 12/01/03 - (Conventional Highway - widen intersection, install signals and flashing beacons). Authorizes condemnation of land in fee for a State highway. Located near the town of Winchester near the intersection of State Route 79 and Scott Road.

C-18852 - F & J Heritage, a California Liability Partnership

08-Riv-79-KP 19.55-Parcel 19575-1,2 - EA: 1A5809 - Certification Date: 11/01/03 - RTL Date: 12/01/03 - (Conventional Highway - widen intersection, install signals and flashing beacons). Authorizes condemnation of land in fee for a State highway and a temporary easement for construction purposes. Located near the town of Winchester near the intersection of State Route 79 and Scott Road.

C-18853 - F & J Heritage, a California Liability Partnership

08-Riv-79-KP 19.82-Parcel 19573-1 - EA: 1A5809 - Certification Date: 11/01/03 - RTL Date: 12/01/03 - (Conventional Highway - widen intersection, install signals and flashing beacons). Authorizes condemnation of land in fee for a State highway. Located near the town of Winchester near the intersection of State Route 79 and Scott Road.

C-18854 - F & J Heritage, a California Liability Partnership

08-Riv-79-KP 19.82-Parcel 19574-1,2 - EA: 1A5809 - Certification Date: 11/01/03 - RTL Date: 12/01/03 - (Conventional Highway - widen intersection, install signals and flashing beacons). Authorizes condemnation of land in fee for a State highway and a temporary easement for construction purposes. Located near the town of Winchester near the intersection of State Route 79 and Scott Road.

C-18855 - Domenigoni-Barton Properties

08-Riv-79-KP 19.91-Parcel 19578-1 - EA: 1A5809 - Certification Date: 11/01/03 - RTL Date: 12/01/03 - (Conventional Highway - widen intersection, install signals and flashing beacons). Authorizes condemnation of land in fee for a State highway. Located near the town of Winchester near the intersection of State Route 79 and Scott Road.

C-18856 - Domenigoni-Barton Properties

08-Riv-79-KP 19.94-Parcel 19576-1 - EA: 1A5809 - Certification Date: 11/01/03 - RTL Date: 12/01/03 - (Conventional Highway - widen intersection, install signals and flashing beacons). Authorizes condemnation of land in fee for a State highway. Located near the town of Winchester near the intersection of State Route 79 and Scott Road.

C-18857 - Domenigoni-Barton Properties

08-Riv-79-KP 19.97-Parcel 19577-1 - EA: 1A5809 - Certification Date: 11/01/03 - RTL Date: 12/01/03 - (Conventional Highway - widen intersection, install signals and flashing beacons). Authorizes condemnation of land in fee for a State highway. Located near the town of Winchester near the intersection of State Route 79 and Scott Road.

C-18858 - NGN Limited Liability Company, et al.

08-Riv-79-KP 19.99-Parcel 19571-1 - EA: 1A5809 - Certification Date: 11/01/03 - RTL Date: 12/01/03 - (Conventional Highway - widen intersection, install signals and flashing beacons). Authorizes condemnation of land in fee for a State highway. Located near the town of Winchester near the intersection of State Route 79 and Scott Road.

C-18859 - Riverside County Transportation Commission, et al.

08-Riv-215-KP 62.10-Parcel 18021-1,2,3,4,5,6 - EA: 334849 - Certification Date: 04/30/03 - RTL Date: 06/10/03 - (Freeway - reconstruct interchange). Authorizes condemnation of a permanent easement to construct, replace, inspect, maintain, repair, retrofit, operate and remove an overhead freeway bridge and highway, supporting columns and footings, including any and all appurtenances, an easement for aerial purposes, extinguishment of abutter's rights of access, and four permanent easements for bridge column purposes. Located near the city of Riverside at Box Springs Overhead.

C-18860 - Howard P. House, etc., et al.

08-Riv-215-KP 69.1-Parcel 19834-1,2 - EA: 334849 - Certification Date: 04/30/03 - RTL Date: 06/10/03 - (Freeway - reconstruct interchange). Authorizes condemnation of a permanent easement for utility purposes to be conveyed to the City of Riverside, and a temporary easement for construction purposes. Located in the city of Riverside at 2222 Kansas Avenue.

C-18861 - Riverside County Flood Control and Water Conservation District

08-Riv-215-KP 69.20-Parcel 17772-1 - EA: 334849 - Certification Date: 04/30/03 - RTL Date: 06/10/30 - (Freeway - reconstruct interchange). Authorizes condemnation of land in fee for a State highway and extinguishment of abutter's rights of access. Located in the city of Riverside near the southwest quadrant of the 60/91/215 Interchange.